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Dated: October 2, 2006

Signature:

*Judy Bridgewater*  
(Judy Bridgewater)

Docket No.: 532212002000  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Thomas L. CANTOR

Application No.: 10/664,263

Filed: September 16, 2003

For: METHODS AND KITS FOR MONITORING  
RESISTANCE TO THERAPEUTIC AGENTS

Confirmation No.: 3408

Art Unit: 1641

Examiner: D. J. Venci

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated June 30, 2006, for which a response was due on September 30, 2006. Accordingly, this response is timely filed. The Applicants affirm the election of Invention II (claims 27-40), with traverse. The Applicants also affirm the election of species 2(b) directed to erythropoietin/erythropoietin analogs (claim 38). Claims 34 and 37 are withdrawn from further consideration, 37 CFR 1.142(b), as being drawn to non-elected inventions. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein is respectfully requested.

10/11/2006 HDETA1 00000045 031952 10664263

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